

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,949	02/20/2002	Stanley T. Crooke	ISIS-5027	8454
32650	7590 12/06/2006		EXAMINER	
WOODCOCK WASHBURN LLP			MCGARRY, SEAN	
CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET			ART UNIT	PAPER NUMBER
	HIA, PA 19104-2891		1635	
			DATE MAILED: 12/06/200	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1635

## Non-Responsive Amendment

The reply filed on 9/25/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):.The response filed 9/25/06 is not fully responsive since the response does not clearly set forth how the 55 new claims are free of the art of record. It is noted that only the response to the rejection under 37 CFR 102(e) over Usman et al (6,849,726) addresses the new claims 202-257. It is also noted that the response discusses three limitations where these limitations are not present in all of the new claims. See 37 CFR 1.111(b)-(c), for example.

(b) In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be

Application/Control Number: 10/078,949

Art Unit: 1635

a bona fide attempt to advance the application or the reexamination proceeding to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

Page 3

(c) In amending in reply to a rejection of claims in an application or patent under reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. The applicant or patent owner must also show how the amendments avoid such references or objections.

Since the above-mentioned reply appears to be *bona fide*, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean R. McGarry whose telephone number is (571) 272-0761. The examiner can normally be reached on M-Th (6:00-4:30).

Application/Control Number: 10/078,949

Art Unit: 1635

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Doug Schultz can be reached on (571) 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sean R McGarry
Primary Examiner
Art Unit 1635

Page 4